

24 November 1975

A CONCEPT FOR
SECURITY AND COMPARTMENTATION OF
FOREIGN INTELLIGENCE

1. This paper offers a conceptual approach to meeting today's seemingly contradictory requirements in the handling of intelligence in general and its compartmentation in particular.

2. On the one hand there is a growing need to simplify and facilitate official access to intelligence within the Executive Branch, the Armed Forces and Congress; on the other, we must focus our security efforts on the protection of the truly sensitive intelligence sources and methods. The conceptual approach presented in this paper is based on two principles.

a. The official use of Foreign Intelligence can be facilitated by a better balance in the considerations of the needs to protect intelligence.

At present unnecessary security procedures are hampering the use of intelligence and diluting the security attention that should be addressed to

the really sensitive aspects of intelligence sources and methods.

b. A unique category of national security information can be identified as "Foreign Intelligence Information" and within this a smaller unique category can be identified as information revealing intelligence sources and methods. The degree and duration of security protection afforded this information should be viable factors.

3. Today, the prescriptions for protection of national security information is set forth in E. O. 11652 and the accompanying National Security Council Directive. In the discharge of his responsibilities to protect intelligence sources and methods the DCI has supplemented these prescriptions with DCIDs and compartmentation control procedures.

4. The concerns which have been expressed about these prescriptions and supplementary guides, particularly compartmentation procedures include the claims that:

a. There is unnecessary and excessive use of classification and compartmentation. There is little realistic effort to evaluate the needs for continuing security protection or to develop procedures for orderly release of information. The complex and expensive procedures for access to compartmented materials are a practical barrier to the dissemination of intelligence to those with a need to know.

b. So many people now have access to the major compartmentation systems that little real compartmentation exist. In example, approximately 130,000 individuals were credited as holding COMINT clearances in June 1973, the last date for which official USIB figures are available. There were approximately 70,000 individuals holding TK clearances in July 1975. These figures do not include the very large number who had access in the past and have since been debriefed.

c. Procedures for removing compartmentation controls are time consuming and administratively burdensome with the practical effect of retaining intelligence under compartmentation controls long after the need has past. While procedures have been recently adopted and significant

amounts of photography and reports have been released from TK controls, questions remain about the need to compartment residual TK materials. And serious questions are raised about the need for controls over much SIGINT product.

d. Compartmentation procedures artificially divide the intelligence data base. The successes of COMINT and TK have resulted in a tremendous volume of highly valuable intelligence essential to the foreign intelligence data base.

STATINTL

However, compartmentation poses problems in integration and results in an artificial duality of finished intelligence and expensive procedures to maintain the separation. The utilization of intelligence would be greatly facilitated if users could have access to the full body of intelligence information in a single simple format under a single system of simple, clearly understood security controls.

5. Concomitantly, the producers of intelligence have expressed concern about unauthorized disclosure and seek tighter controls.

a. The potential damage to sources of intelligence by unauthorized disclosures continues to be a real problem. For example, USIB has recently discussed the advisability of imposing tighter controls, limiting access and holding down dissemination on intelligence related to Soviet ABM development and missile testing based on concern that such leaks could foster counter action and nullify the source of this intelligence.

b. The growing involvement of the contracted scientific, technical and industrial sphere in the areas of research, manufacture, operation and exploration of technical intelligence collectors and resulting products indicates a need to examine the adequacy of current security practices.

c. The requirements on the Intelligence Community associated with Congressional interest and oversight, issues of energy research, narcotics, economics and international terrorism portend a need to address unique security requirements in the dissemination of intelligence from all sources to an expanding population of users.

d. The growing intelligence liaison with foreign intelligence allies raises the question of need for a security analysis of historical second and third party agreements.

e. The present inquiry by the Executive and Legislative Branches of the Intelligence Community has disturbed the concept of sanctity of classified material, indicates the need for and presents the opportunity for a redefinition of what intelligence material requires what degree of security protection.

6. These opposing concerns, i.e., a need for access and a need to control disseminations stem from divergent but equally valid objectives. Intelligence must be made available to those with a need-to-know. Appropriate controls must be exercised to maintain a viability of the source. At the present time, the concerns indicate that our current security procedures including compartmentation practices are not working and should be redressed. Toward this objective a concept for security and compartmentation of Foreign Intelligence is proposed. The specific elements of the concept are:

a. Establishment by USIB and promulgation by Executive Order [with Congressional agreement] of a definition of "Foreign Intelligence Information" as a separate category within the totality of the national security information.

b. Establishment by USIB and promulgation by the NSC and DCI of a uniform set of security procedures for the protection of all Foreign Intelligence Information including:

(1) A single security clearance for access to Foreign Intelligence Information based on investigation to determine trustworthiness as required in accordance with E.O. 10450 for access to TOP SECRET material. The clearance will be withdrawn when no longer required in performance of official duties or contractual obligations.

(2) A determination of the need for access to the particular Foreign Intelligence sought in connection with performance of official duties or contractual obligations. The determinations of that need shall be made by Senior Intelligence Officers of the departments participating on the USIB.

*all
customers?
or just those
with
access
to source*

(3) The requirement of a secrecy agreement supported by legislation for criminal sanctions as a condition of access to classified Foreign Intelligence information.

(4) Delegation of the responsibility for protection of Foreign Intelligence to the holder.

(5) Adoption of physical security requirements similar to those prescribed in E.O. 11652 and the accompanying NSC Directive of May 1972.

(6) Development of a procedure similar to the General Declassification Schedule of E.O. 11652 to declassify Foreign Intelligence Information when protection is no longer required.

(7) Adoption of the uniform marking procedures of DCID 1/7 (modified as necessary to accommodate this concept.)

c. The elimination of the [redacted] STATINTL and other compartmentation systems, as now structured, in favor of a single compartmentation control procedure for the protection of truly sensitive intelligence sources and methods. As a preliminary step, the

Managers of the current compartmented systems should be required to review their materials and activities and clearly identify "essential secrets."* These would be nominated for protection under this single compartmentation system. Everything else would be protected by the procedures described above. Features of the single compartmentation systems are:

- (1) Approval for use of compartmentation procedures would be vested in the DCI on the advice of USIB which would provide for an annual review of continuing need and judicious employment.
- (2) Determination of need-to-know would be vested in the project officer or cognizant department of the USIB with the exception that prior recognition could be afforded the need to know.

*Compartmentation is really not required for most products of technical collection including photography and the substance of SIGINT intercepts. (The actual film and raw text may require compartmentation.) Compartmentation should not be used for the security protection of generic reference to technical sources in finished intelligence such as "Photography reveals...", "From COMINT we know...", for administrative procedures, for codewords or to protect indicators, initials or titles.

of exploitation and analytic personnel. A billet structure could be organized to facilitate the need-to-know determination.

(3) Computer technology could be applied to assist in the registration of small compartmentation projects, individuals approved for access and the control of dissemination of documentation. The USIB is currently investigating use of computer technology to control compartmented clearances.

(4) Markings of compartmented materials would be kept to a minimum and would not normally be carried forward in finished intelligence products.

(5) No additional personnel or physical security requirements would be required for access or protection of compartmented intelligence than is required for any other TOP SECRET Foreign Intelligence information. No additional secrecy agreements would be required although it may be advisable to provide a personal security briefing on the extra-sensitive nature of the information.

7. No additional or more comprehensive background investigation would be required for access to compartmented materials as is now required by DCID/1/14. The determination of clearability would be based on the required background investigation for access to TOP SECRET. But some feasible program of reinvestigations should be considered by the USIB.

8. This concept for a new approach to security and compartmentation has not been developed in consequence of definitive studies of all features involved. However, there have been prior studies that support many of the proposals. There are additional studies now underway in the community which indicate that some elements might be favorably received in some quarters. DCI authorities now exist under the National Security Act of 1947 to segregate and uniquely identify Foreign Intelligence Information. Access controls and dissemination procedures proposed in this concept are in accordance with provisions of E.O. 11652. The recent successful decompartmentation of large volumes of TK material is a precedent supporting the contention that compartmentation as it exists today is not essential to the protection of

STATINTL

large systems and large volumes of technical intelligence products.

9. This concept is presented as a starting point for still broader and more detailed examination of its potential value. It will raise many questions and evoke many comments, some of which surfaced in the drafting and they are annexed for information purposes.

INTELLIGENCE COMMUNITY STAFF

Executive Registry
75-9481/1
2 December 1975

S-32

NOTE FOR THE DIRECTOR

SUBJECT: Security Compartmentation

When [redacted] met with you recently to tell you the results of his review of the "secrecy" problem, he mentioned a paper prepared by [redacted] [redacted] on compartmentation. Attached is a copy of that report which I was told you indicated an interest in seeing.

Gen. Wilson has had several meetings recently to devise a plan of action for moving this problem forward. He will be submitting to you soon some recommendations on how we should proceed.

Executive Registry
75-9481/2

[redacted]

Acting D/DCI/IC

Excellent
See notes for some
points of question
29 DEC 1975
INFORMATION

EXECUTIVE REGISTRY FILE

S-32

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